

# The Abell Report

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## Years After a Landmark Court Decision, Connecticut's Solution to School Segregation Shows Promise: Can it Inform Action in Baltimore?

### ABELL SALUTES: "The ETC": helping entrepreneurs grow companies "further and faster" and "creating new jobs in Baltimore."

Tom Murdock was teaching school and saw a need—in his case, in the classroom learning process. Following the pattern of so many similar and successful start-up stories, he began to put together a business plan designed to fill that need—inviting friends in to share.

The plan led to a relationship with co-founders (in Long Island) and to a meeting with the Emerging Technology Centers (ETC) in Baltimore. Mr. Murdock says, "At that point our group found itself happily in the ETC's incubation process, where we were introduced to managers whose contributions to our start-up's organization and growth became a chapter in a book we began writing together." This history, written together, led to the founding start-up company known today as Moodlerooms. There are many Moodlerooms stories where the plot involves, at a critical point along the way, the involvement of the ETC.

The ETC is an initiative of the Baltimore Development Corporation, a nonprofit technology business incubator that works with early-stage Baltimore-based technology entrepreneurs. The

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By Susan Eaton

Just beyond the bleak jail for juveniles, past bodegas painted tropical hues and commercial vacancy signs along Hartford, Connecticut's Broad Street, stands a sleek, shiny collection of modern buildings. On weekday mornings, a chain of yellow buses encircles this meticulous, bustling 14-acre compound called The Learning Corridor. Kids hop through the buses' accordion doors, file into buildings, and settle into classrooms where the mix of complexions and family incomes does not match Census data culled from these streets.

Many of the roughly 1,570 students scattered among the elementary, middle, and two high schools here have indeed been "bused in" to—yes—engineer the creation of racially and economically diverse schools in this otherwise extremely poor Latino neighborhood. Some of the children who attend schools on this campus do live nearby. Others come from Hartford's African-American neighborhoods to the north. A large share of the students, however, travels up to an hour from the suburbs beyond the city limits. Educators in several other "magnet" schools in and around Hartford open their doors each morning, too, to a student body that reflects the diversity of the region, as opposed to the homogeneity found in most of Connecticut's public schools, which enroll students from just one town or neighborhood.

As of summer 2012, there are 31 interdistrict magnet schools in the Greater Hartford region, including those

at The Learning Corridor, enrolling about 13,000 students and supported by a mix of state, local, and philanthropic funds. (Four more are scheduled to open this fall.) Another state-funded program, called Open Choice, enrolls about 1,700 students and provides transportation for children who live in Hartford to attend suburban schools. Students who live in Hartford's suburbs can also transfer into Hartford through this program, though only a few dozen have chosen that option in recent years. In the larger national public education context, where entrenched racial and economic segregation is the norm, the purposeful integration effort that has taken root and blossomed here is undoubtedly an outlier. But it is an educational anomaly that may be instructive for other racially and economically stratified regions. Created in response to a 1996 state court ruling, the schools and programs in and around Hartford have not only substantially reduced the share of students of color in high-poverty, segregated schools, but they have also engendered a broad array of innovative educational options that have proven appealing to families of all racial and economic backgrounds and resulted in promising outcomes for the students who take part.

How did all this come into being in of all places, Connecticut, one of the nation's wealthiest and most economically unequal states? The story of what emerged in Connecticut and why is instructive not just for Baltimore, but also for the numerous metropolitan areas across the country beset by segregation and educational inequality.

## The Long Road to Remedy

In 1989, a single mother of two, Elizabeth Horton Sheff, signed on as lead plaintiff in the civil rights case *Sheff v. O'Neill*. *Sheff's* lawyers argued that the racial and class segregation in the region's public schools denied students the "substantially equal education" granted in the state's Constitution. In all, a racially diverse group of 19 schoolchildren and their families were plaintiffs in the case. Elizabeth Horton Sheff and the national civil rights organizations and local lawyers who brought *Sheff* saw it first as a way to assist children of color and economically disadvantaged children in Hartford and, by implication, low-income students of color in other similarly challenged Connecticut cities. But from the beginning, their aspirations looked far beyond Connecticut. They imagined that *Sheff* might be the long dreamed about case that could revive the ideals inspired by the iconic 1954 United States Supreme Court ruling, *Brown v. Board of Education*. In *Brown*, the Court declared unanimously that "in the field of public education separate but equal has no place." *Brown* sparked the civil rights movement, which toppled enforced, intentional segregation in the American south. However, the so-called *de facto* segregation common in the North—segregation created not by written law, but consequential nonetheless—would prove far harder for civil rights lawyers to eradicate.

In 1974, the U.S. Supreme Court severely limited *Brown's* power and reach with the lesser-known 5-4 decision *Milliken v. Bradley*, which exempted Detroit suburbs from inclusion in urban desegregation plans. This meant that urban school districts, where the pool of white students was shrinking, were on their own in remedying segregation.

As white flight from cities sped up, desegregation became increasingly difficult to achieve especially in the north. Because *Sheff* was brought in state court, it represented a detour around the federal *Milliken* roadblock. The *Sheff* case was different in another important way, too. *Sheff's* lawyers did not bother trying to prove that government officials had intentionally segregated students by race or ethnicity. Rather, they argued that the condition of racial and ethnic segregation cut off white students and students of color from necessary, vital exposure to other cultures, experiences, and knowledge. Racial and ethnic segregation's attendant—concentrated poverty—the lawyers argued, overwhelmed even the best Hartford educators who worked in schools with hallmark symptoms of profound, chronic institutional disadvantage: constant disruptions, neglect, instability, and stress.

In 1996, seven years after *Sheff* was filed, Connecticut's highest court ruled in favor of the plaintiffs. In this 4-3 decision, the state Supreme Court found that it was the school district borders themselves—lines that are coterminous with established racially segregated housing patterns—that had created race and class isolation and the resulting inequality in the first place. The Court ordered lawmakers to fashion a remedy to reduce racial and ethnic segregation in Greater Hartford's public schools, but it provided no guidance on how to go about doing it. "Racial and ethnic segregation has a pervasive and invidious impact on schools, whether the segregation results from intentional conduct or from unorchestrated demographic factors," wrote then-Chief Justice Ellen Peters. "We conclude... that the school districting scheme...as enforced with regard to these plaintiffs, is unconstitutional."

The *Sheff* ruling hinged on unusual

language in Connecticut's Constitution that prohibited "segregation," which the court, in this case, declared need not be intentional in nature to warrant remedy. This case forced public discussion and debate about segregation, and its victory meant that reducing segregation would remain on political agendas. Major civil rights cases like *Sheff* require enormous investments of time and money. Interestingly, if such a case were brought today, it would likely be a far stronger one. Since the time *Sheff* was argued in the early 1990s, the research base on the educational harms of racial isolation and of concentrated poverty and on the potential of race and class diversity has grown far stronger and remarkably larger.

After the court decision in 1996, the *Sheff* remedy took several years to even begin to materialize in a serious way. As the years went on, district borders would remain sacrosanct, but schools got built and programs were created to make it easier to cross those lines.

Getting the schools up and running and the money allocated for them required constant vigilance on the part of the legal team, which included local lawyers and civil rights lawyers from the American Civil Liberties Union and the NAACP Legal Defense and Educational Fund. As the state began to increase its investments in *Sheff*, many onlookers speculated that spending millions to promote diversity would not move urban or suburban parents to leave the typically racially homogenous schools to which they'd ordinarily be assigned. "People are happy in their neighborhood schools," then-Commissioner of Education Ted Sergi said of Hartford parents during a legislative committee hearing in 2001.

Even some *Sheff* supporters doubted whether large numbers of white suburbanites, with access to some of the

highest performing schools in the state, would put their children on buses to Hartford no matter how good the new schools might be. As it turned out, however, the doubters were wrong. Magnet schools and the transfer program Open Choice are so popular among both urban and suburban parents that demand for them is not being met.

“It’s good news that the schools are so popular and so successful,” says Liz Dupont-Diehl, who lives in suburban Windsor and has two daughters who attended middle school at The Learning Corridor. “But it’s bad news because people are getting left out.”

### ***Sheff’s* Mantra: “Quality Integrated Education”**

From *Sheff’s* earliest days, its plaintiffs, lawyers, and allies talked about the need to provide “quality integrated education.” The implication here was that, unlike desegregation remedies of the 1970s, merely meeting some kind of numerical diversity standard would not suffice. Lawyers, educators and parents demanded that the educational remedy had to be of the highest quality, and it had to be responsive to and inclusive of families from many racial, ethnic, and economic backgrounds.

Each so-termed “*Sheff*” magnet school has a particular curricular theme or focus, and each opens its enrollment to students throughout the region. In order to be considered by the court a part of the remedy, schools must consistently meet an “integration standard,” which requires that at least 25 percent of the students be white. (Though crude, this standard is based upon current and forecasted demographics in the region.) To meet this goal, school officials have largely relied upon “affirmative marketing,” through which they reach out to parents and families, and recruit and advertise offerings in communities whose demographics might help them create the diversity standard. No schools use quotas to meet the integration standard, as students are always

selected via lottery. In other words, no students are selected on the basis of their race or ethnicity. None of the schools impose admission requirements, such as tests or specialized applications or interviews. No student is compelled to attend a magnet school.

It is difficult to calculate the overall cost of the *Sheff* remedy. All students who attend magnets, for example, would obviously be educated somewhere. But state officials routinely cite the overall cost of providing the remedy to be more than \$2 billion. It would have been far less costly—and agreeable to the plaintiffs, too—if lawmakers had regionalized the schools, but that option was never seriously debated in a state wedded to the idea of local control. Post *Sheff*, there are 65 interdistrict magnets in the state, no doubt many of them inspired by the *Sheff* case. Magnets that existed before the ruling tend to be more racially diverse than non-magnet schools overall, but are not required by the court to meet desegregation standards. State officials refer to these as “non-*Sheff*” magnets.

As impressive as the integration remedy is, data show that the offerings are meeting only 72 percent of the demand among Hartford families, and that demand is growing both in Hartford and its suburbs. In 2012, about 16,000 students entered the school choice lottery for either magnets or Open Choice with 5,700 of them from Hartford and about 10,000 from suburban communities. This marked a 21 percent increase in applications from the previous year.

In 2012, about 34 percent of Hartford’s African-American and Latino students attended schools in “integrated settings” as a result of the *Sheff* remedies. In late April 2013, a state judge extended for a year a prior legal settlement that required 41 percent of children of color in Hartford to be in diverse schools. As a result, three more existing Hartford schools became designated as interdistrict magnets in the spring of 2013 and will open in September. Under the extension agreement, state officials also promised to try to increase suburban participation

in the Open Choice program through financial incentives.

In spite of demographic change that has brought increasing racial and economic diversity to several of Hartford’s older suburbs, public schools beyond Hartford’s closest neighbors still enroll comparably miniscule shares of students of color and/or students from low-income families. In Hartford, meanwhile, 92 percent of students come from families earning low incomes. In Hartford’s non-magnet schools, all or nearly all of the students are students of color. Historically, it has been more difficult for interdistrict magnets operated by Hartford Public Schools to achieve the required diversity in enrollment. Magnet school seats are assigned in the spring by a Regional School Choice Office within the state’s Department of Education. Some families chosen by the lottery may decide not to enroll, which can open up more seats and a second lottery.

A common complaint among integration critics is that even voluntary efforts depend disproportionately upon attracting African-American and Latino students from disadvantaged communities so they can attend schools in affluent white suburbs and face the burden of adapting. This has not been the case in Hartford, though, where opportunities for integration have quite deliberately been spread throughout the region and where most magnet schools enroll predominantly students of color. In fact, the most popular schools for both urban and suburban families are more likely to be found in Hartford’s poorest Latino neighborhood where The Learning Corridor is located, or in the city’s other working-class neighborhoods.

### **Where Innovation Meets Integration: *Sheff’s* Magnet Schools**

Hartford’s Learning Corridor houses four interdistrict magnet schools. In addition to the Arts Academy, there is another high school, the Greater Hartford Academy of Math and Science, as well as the Montessori Magnet

School, which enrolls 3-12 year olds. The Hartford Magnet Trinity College Academy (HMTCA), for grades 6-8, brings together roughly 600 students from about two dozen cities and towns for a comprehensive, rigorous curriculum. In 2011, HMTCA was awarded the Dr. Ronald P. Simpson Award, which recognizes the top magnet school in the country, from the professional organization Magnet Schools of America.

The Greater Hartford Academy of the Arts (GHAA), with 766 students, has proven particularly popular among families in the region. Some GHAA students attend school there all day, taking their required courses in math and English at the 16-acre Learning Corridor complex. Some other students take the required courses at a high school in the community where they live and come each afternoon to GHAA for arts classes. Unlike many other arts or performing arts high schools, GHAA does not require that students audition or submit portfolios for admission. This means that a wide range of skills and experience will often be represented in each classroom. For example, one student may have taken private ballet lessons since she was 3, while another may have never been in a dance studio before coming to GHAA. The school's director of the arts, Kim Stroud, acknowledges that this policy of "being open to all" is not beloved by all of the teachers all of the time.

"It is a real issue," says Stroud. "We have to talk about these things. But we have as a core mission valuing diversity and honoring diversity. That is what we do here. I think it would be easier, in a way, yes, if we had auditions, if we set some standard in terms of skill levels in the arts prior to entry. But if we did that, then we just would not be us." Because of the popularity of the arts high school, in 2010, educators opened a second campus that houses music and theater arts programs on the former site of the famous Colt gun factory, which supplied weapons for the Civil War, World War I,

and World War II.

Just off the interstate highway, on the former site of a housing project, the 355 students at the Breakthrough Magnet Elementary School travel from 24 cities and towns. In 2012, Breakthrough was named a "School of Excellence" by the professional organization Magnet Schools of America. It is among the highest achieving and most popular of the interdistrict magnet schools. The school's principal, Norma Neumann-Johnson, testified at the *Sheff* trial in favor of the plaintiffs and is an active member of the *Sheff* Movement—a grassroots organization of educators, parents, and others that advocates for the expansion of *Sheff* remedies.

In the hallway at Breakthrough, dots on a colorful map connote the some 25 nations from which Breakthrough's students trace their immediate families' origins: Mexico, Mozambique, Vietnam, and Poland. Neumann-Johnson, who has worked as a teacher and administrator in the city schools for more than four decades, describes Breakthrough as a "global community for students of character." Drawing on the rich racial and cultural diversity of the school, Breakthrough includes an intensive focus on geography and culture within a character-based curriculum that emphasizes personal responsibility, integrity, and contribution to the school community. A culture of belonging and responsibility permeates Breakthrough. Students set formal tables in their classrooms for lunch, help out with the laundry, tend a rooftop garden, and staff a school store. Each Friday morning, the entire school assembles in the auditorium for games, interactive presentations, or social events. Different grades take turns hosting the Friday assemblies. Breakthrough's students practice mindfulness in meditation classes where one student explains, "I quiet the negative voices and learn to listen to the positive stories about what I can do and who I am."

To the west, in suburban Avon, where the median family income is \$109,161 compared to Hartford's paltry \$29,000,

the Reggio Magnet School for the Arts enrolls about 300 students from more than a dozen cities and towns in the region. Curriculum here is based on the philosophy of the educator Reggio Emilia who, in ravaged post-World War II Italy, introduced early childhood centers that focused on respect, community exploration, and a self-guided curriculum. A white school board member in Avon, Barbara Zuras, helped found the school and has been a leading supporter of the interdistrict magnet school. She is also an outspoken advocate for creating racially diverse learning experiences even in children's earliest years.

"Connecticut needs to build on this track record by making quality, integrated preschool education universally available for 3 and 4 year olds," testified Zuras before the state legislature in 2012. "This state should avoid creating a segregated preschool education system for low-income children of color."

In Bloomfield, a predominantly black suburb just north of Hartford, the more than 700 students in grades 6-12 at the Metropolitan Learning Center (MLC) graduate with an international baccalaureate degree. MLC emphasizes global studies with the aim of helping students develop "caring, inquiring, and open-minded perspectives" and of becoming "empowered as agents of change creating a better and more peaceful world." It was named a "Magnet School of Excellence" for the past five consecutive years by Magnet Schools of America.

The Capitol Region Education Council (CREC), which is similar in operation to a regional school district, operates some of the magnet schools. Its funding comes from a mix of local member school districts that participate in magnets, state funds set aside for the *Sheff* remedy, foundation dollars, and federal grants. Enrollment in CREC's magnets is remarkably diverse. Overall, about 33 percent of students in the CREC-run schools are African-American, 30 percent are white, and 28 percent are Latino. Close to half come from families earning low incomes. CREC's mission

is straightforward: “To promote racial integration and reduce racial, ethnic, and economic isolation and foster an understanding of and an appreciation for cultural diversity.”

Hartford Public Schools also oversees some of the interdistrict magnet schools—all are in the city of Hartford and most are in existing buildings. The small, private Goodwin College, in East Hartford, oversees three magnet schools. “I think we have a great story to tell about what is possible,” says Robert Cotto, a member of the grassroots group the Sheff Movement. Cotto is also a former teacher at the Metropolitan Learning Center and a member of Hartford’s Board of Education. He remembers moving from Hartford as a child and being one of just a few Puerto Rican students at his suburban school.

“So, I do think I understand the really huge potential of diversity, for increasing opportunity,” he says. “I also think I understand what a welcoming school should be, what a school that strives toward true equality needs to do in order to realize that potential. And I do feel like I’ve seen that here.”

### Encouraging Early Results

The U.S. Census Bureau reports that by the end of the decade, no single racial or ethnic group will constitute a majority among children. In about three decades, no single racial or ethnic group will have a majority in the country as a whole.

The way Cotto sees it, the more than 15,000 young people participating in the Hartford region’s integration efforts will be particularly well prepared for this transformed nation. What’s more, he suggests, is those young people will be the men and women best qualified to be “leaders in a society that will look very different from the one their parents knew.” The “quality” part of the Sheff Movement’s “quality and integrated education” mantra is best measured, Cotto says, by the satisfaction level among parents and students; the level of

engagement observed in the classrooms and dance studios, during recitals and in robotics competitions at the schools; the low teacher turnover rates; the constructive, welcoming climate; the collaboration among students; and the positive social relationships that break down stereotypes. Seeing that *Sheff’s* goal was not to nudge up test scores, but to provide more students access to opportunity and expanded horizons, Cotto’s measures seem like logical ones. However, it is also true that test scores remain a meaningful measure for policymakers and others who measure school success. By this standard, too, *Sheff* remedies have, so far, made the grade. A 2009 study in the peer-reviewed journal *Educational Evaluation and Policy Analysis* compared academic results between students who had applied to Connecticut’s magnets and were not selected through the blind lottery and students who were selected and attended a magnet school. The magnet school students who lived in urban zip codes (these students were mostly Latino or black) made greater gains and did significantly better in math and reading in high schools and on reading tests in middle school. What’s more, the suburban students—this group being largely white—who attended magnets outdid their peers at traditional suburban (and generally much whiter and more affluent) schools, too. The “achievement gap” between white students and students of color tended to be smaller in magnet schools than it was in traditional schools.

The study also showed that students in magnet high schools and regular high schools stated similar racial attitudes, but students of color in magnet schools were significantly more likely to say they felt close to white students and had white friends than did students of color who did not attend magnets. Similarly, white students in magnets were significantly more likely than students in non-magnet schools to say they were close to students of color and had students of color as friends. This study is particularly informative because it avoids the common methodological concern of

“self-selection” bias embedded in simple comparisons between students who choose a school and students who attend a school to which they are assigned. Self-selection bias refers to the fact that qualities that plausibly cause a family to purposefully choose a given school—say, perseverance, foresight, planning, drive, ambition—might themselves be factors contributing to higher relative academic performance. But the 2009 study avoids that pitfall by using as a control group students who did choose to attend magnets but who were denied entry.

More recent data from 2011 show that, on average, the region’s seven interdistrict magnet high schools record far higher graduation rates than even some of the more affluent suburban districts in the Hartford region. Perhaps most revealing, interdistrict magnets do a far better job at graduating students from families who earn low incomes than even several far more affluent school districts. The graduation rate for low-income students at magnet schools ranges from about 85 percent to higher than 90 percent. (By comparison, the graduation rate for low-income students in Hartford that year was about 60 percent in 2011 and 53 percent in 2010.) In 2012, achievement data showed that students who live in Hartford and attend either a magnet school or who are enrolled in the Open Choice program tend to outperform their counterparts in the Hartford Public Schools. These simple comparisons do not control for potential self-selection bias. However, the size of the differences makes the data informative. The share of Hartford resident students meeting or exceeding state goals on mandated tests was typically 20 to 40 percentage points higher in magnets or Open Choice.

### A Deep Grassroots Connection

Since the beginning, *Sheff’s* lawyers, educator allies, and concerned community members built their strong multi-racial, multi-ethnic, economically diverse base of urban and suburban supporters through old-fashioned community organizing. The lawyers were empowered

by this broad community base, and the interviews and meetings with community leaders and parents informed not only the shape of the case but the negotiations about remedy as well.

In 1987—a full two years before *Sheff* was filed—the now well-known local civil rights lawyer John Brittain was at the time a law professor at the University of Connecticut. He worked with community-based advocates and others to put together a meeting between civil rights lawyers, parents, teachers, union activists, ministers, priests, and rabbis. The meeting was called to talk about a report recently issued by the state’s very own Department of Education. The report detailed and lamented the intensifying racial segregation of the state’s schools and called segregation “educationally, morally, and legally wrong.” On that day, Brittain, who would go on to become dean of the Thurgood Marshall School of Law at Texas Southern University in Houston and Senior Deputy Director at the Lawyers Committee for Civil Rights, laid out the history of the construction and maintenance of segregation. He and his colleagues from the NAACP Legal Defense and Education Fund then laid out some plausible legal options. For Brittain, that meeting brought back memories of his days organizing African-American voters in Mississippi.

“People in the North were conditioned to living separately,” Brittain recalls years later. Inequality, he adds, “was something everyone knew about. But once we got people talking, right under the surface was a feeling that we could do better, that it didn’t have to be this way.”

The intensity of the community-based organizing dissipated somewhat following the much-watched trial in the early 1990s and then after the court decision in 1996. About a decade ago, however, parents, local educators, and Greater Hartford residents regenerated *Sheff*’s community-based advocacy by forming the *Sheff* Movement Coalition. Coalition members, some of whom had been plaintiffs

or had testified for the plaintiffs in the original case, have been meeting formally, usually at least once a month, for 10 years. Among the seven (and far less ambitious) voluntary interdistrict desegregation programs in the nation, none has a grassroots advocacy counterpart that is as institutionalized and active as the *Sheff* Movement. The *Sheff* Movement has a well-established routine of gathering at one of the interdistrict magnets, the Capital Preparatory Academy on Main Street, which sits just beyond Hartford’s downtown. Members spread out donuts and coffee in the school library, which in 2012, was officially named the *Sheff* Center, in Elizabeth Horton *Sheff*’s honor. Members organize public forums related to *Sheff* and to other educational trends. They testify at legislative hearings, and hold meetings with state legislators and informational sessions for local school board members and suburban PTOs. Members have also in recent years sat on panels at national meetings of education scholars and policy experts. They have sat behind tables at local magnet school fairs. They have crunched data to demonstrate the *Sheff* schools’ and Open Choice’s strong records of academic achievement. They get quoted regularly in the press. They publish and disseminate short newsletters that announce events and bring readers into daily life in diverse schools in the region.

Lead plaintiff Elizabeth Horton *Sheff* often chairs the regular meetings and remains one of the case’s most quoted spokespeople. These days, she says, she tries to strike a balance between complaints over the fact that “not enough people have access to quality integrated education” and celebration “over the incredible success we have been able to achieve here.”

### **Baltimore Parallels?**

Racial segregation came to characterize Greater Hartford and its schools in much the same way it did in other formerly grand American cities. Like in Baltimore, a confluence of economic trends, government housing policies and

practices, and racially discriminatory banking and insurance practices encouraged, exacerbated, and then cemented in place intense race and class isolation in Hartford. Baltimore, with a longstanding identity as a border city between north and south, embarked on school desegregation soon after the *Brown v. Board of Education* decision. As Harold Baum chronicles in his book, *Brown in Baltimore*, the city school board was one of the first in the nation to end its *de jure* system peacefully. However, the board instituted a weak “freedom of choice” plan that kept the current school assignment plan in place, but allowed for blacks and whites to choose different schools if they wanted, with no regard to race. Thus, as Baum shows, blacks did choose schools that they perceived were of higher quality, but whites tended to choose the schools that were close to their homes and were more likely to remain predominantly white. Baltimore did not provide transportation to transferring students. Like in other similarly situated urban districts, white flight to the suburbs of Baltimore County continued during these years, eventually making desegregation efforts pointless within the city. (Hartford never had a desegregation plan.) Today, metro Baltimore and metro Hartford have similar rates of segregation between blacks and whites. In Baltimore, about 64 percent of whites would have to move to different neighborhoods in order to be evenly distributed in the region. In Hartford, that number is about 62 percent. Called a “dissimilarity index,” a number of 60 or higher is considered “very high” segregation. Of the 138 largest metro areas in the United States, Baltimore has the 19th highest index for segregation between whites and blacks. Hartford is ranked 24th.

Connecticut’s government did not write laws mandating school segregation as they did in Maryland and 16 other states. But it did aid and abet the creation of segregated education by siting and building schools in accordance with a racially and economically separate setup that decades of racial discrimination had

brought into being. Race and class separation remains such an embedded part of the Connecticut landscape that if it had not been for *Sheff*, it might escape notice.

With its focus on access, opportunity, and the present-day effects of longstanding structural discrimination, the *Sheff* case shares qualities with the important public housing desegregation case from Baltimore, *Thompson v. HUD*. Filed in 1995 on behalf of African-American families who had been relocated to segregated neighborhoods following the demolition of their public housing projects, *Thompson* argued that city officials and HUD purposefully placed replacement public housing in segregated areas as a way to appease white residents who did not want it in their neighborhoods. After about 10 years of litigation, Federal District Court Judge Marvin J. Garbis found that the U.S. Department of Housing and Urban Development (HUD) violated the Fair Housing Act of 1968 by concentrating African-American public housing residents in the poorest, most segregated neighborhoods of Baltimore City. However, city officials were not held responsible and the Court viewed them as actors within a fragmented system that failed to consider the region as a whole and thus limited their ability to site housing beyond municipal borders. In his decision, Judge Garbis wrote that HUD had treated the city of Baltimore like “an island reservation. . . a container for all of the poor of a contiguous region.” A central element of the remedy was continuation of the Baltimore Housing Mobility Program (BHMP), created in an earlier phase of the case. A more recent settlement, in 2012, continued the program and court jurisdiction until at least 2019.

A voluntary program, BHMP has enabled nearly 2,000 African-American families to move from high-poverty neighborhoods to lower-poverty neighborhoods that provide easier access to high-performing schools and job opportunities. According to a 2009 report

issued by the Poverty and Race Research Action Council and the Baltimore Regional Housing Campaign, schools in neighborhoods to which program participants moved, enrolled, on average, 33 percent of students who are eligible for free and reduced lunch (a proxy for poverty) compared with 83 percent poverty in their former neighborhoods’ schools. The report also showed that in the families’ new neighborhood elementary schools, 69 percent and 76 percent of students scored proficient or higher on state math and reading tests, respectively, compared to 44 percent and 54 percent who did at their former schools. Perhaps most important, though, is that 88 percent of settled participants said in a survey they are satisfied or very satisfied with the schools in their new communities. About 89 percent of settled parents say their children appear to be learning better or much better at their new schools.

In a recent report on deepening school segregation trends in Maryland, the Civil Rights Project at UCLA acknowledged that there is no “magic solution for comprehensive integration of schools” in the Baltimore region.

“It would be foolish to claim that there is one,” writes report author, UCLA professor Gary Orfield, co-director of the Civil Rights Project. “It is equally foolish, on the other hand, to do nothing about the continuing spread of segregated schools and resegregation of neighborhoods or not to use school choice and magnet methods appropriately to create integrated schools where it is feasible. Stably integrated communities are more successful educationally and socially than resegregated communities, which tend to experience rising poverty and declining educational and job opportunities.”

### **Toward Stable Integration**

A constructive first step toward what Orfield calls “a stably integrated” community might be to bring Baltimore’s regional housing experts and advocates together with Connecticut’s regional education experts and advocates to think collaboratively about comprehensive,

complementary strategies to reduce segregation. Every metropolitan area has its own set of challenges, both political and practical. But community members, educators, and leaders who embark upon discussions about reducing segregation through schooling opportunities also face some common questions. At the outset, it is important to realistically assess the political obstacles a regional school integration plan might face and to think in advance about where interests might converge. Similarly, a thorough review of existing state education policy would ensure that proposals do not violate existing laws and could also identify ways to facilitate regional efforts.

Baltimore’s ambitious new plan to rebuild and refurbish its aging school facilities might provide an opening to discuss the creation of regional magnet schools or other programs that provide opportunities for students from all racial, ethnic, and economic backgrounds to attend diverse schools. For example, could any of the planned new or renovated city schools become regional magnet schools? If so, what themes or curricular focuses might be most effective in attracting students from the city and the suburbs? Would it be possible to place magnet schools near job centers or major regional employers? Are there any existing summer programs or extracurricular programs that bring urban and suburban students together? If yes, how might those be expanded?

“I always keep in mind that segregation was created by people,” *Sheff*’s lead plaintiff Elizabeth Horton Sheff said recently. “And that doesn’t make me depressed. It reminds me that it can be undone by people.”

Susan Eaton is research director at the Charles Hamilton Houston Institute for Race & Justice at Harvard Law School. She is the author of *The Children in Room E4: American Education on Trial*, a narrative non-fiction book about the *Sheff v. O’Neill* case.

## Baltimore School for the Arts—a local example of a “one-way” interdistrict high school?

While Maryland does not have legislation requiring interdistrict enrollment among school districts, Baltimore City’s Baltimore School for the Arts may well serve as an example of what is possible with at least one-way interdistrict transfer.

Opened in 1980 and located in the Mt. Vernon neighborhood of downtown, Baltimore School for the Arts (BSA) is a public high school offering a pre-professional arts program with a challenging college-preparatory academic program. Admission to its music, dance, visual art, theatre, and theatre production programs is based solely on audition; there are no academic criteria. While BSA is a school within the Baltimore City Public School System, it has an independent Board of Overseers that ensures fidelity to the original mission and engages in substantial fund-raising.

While BSA attracts a majority of its students from Baltimore City, the school is open to students throughout the state. Typically, 25 percent of its 400 students reside in the counties surrounding Baltimore City. Families of these non-city students are responsible for contributing \$5,360 in tuition and must provide their own transportation. The State of Maryland contributes its share of per pupil funding for these students, but there is no portion paid by the sending school district.

As a result of this one-way interdistricting, BSA has attracted a more racially and economically diverse student body than other Baltimore City high schools. In 2012, 56 percent of BSA students were African-American, 36 percent white, 5 percent Asian, and 3 percent Hispanic; less than one-third of its students come from families who qualify for free and reduced meals. Compare that to the average Baltimore City Schools high school population, which is 90 percent African-American and 76 percent eligible for free and reduced lunch.

This mix appears to be beneficial for all students: Baltimore School for the Arts earns a high School Performance Index score from the state, and is particularly noted for its ability to close the achievement gap in English and math among socio-economic groups. Its students’ average combined SAT score of 1542 is the highest in Baltimore City, and more than 95 percent of its entering 9th graders graduate in four years.

## ABELL SALUTES

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ETC describes its involvement with these fledgling companies this way: “We move their business ahead further and faster than they could on their own.” To back up the claim, the ETC has data: It estimates that in the 14 years in which it has been operating, ETC companies have created companies in excess of \$375 million in economic activity for Baltimore City.

In its mentoring relationship, the ETC offers a comprehensive array of business services: flexible turnkey solutions that free the founding entrepreneurs to focus on the critical success factors driving the business. The ETC incubator offers office space with common conference rooms and services, relieving companies of a number of administrative details.

The full-time ETC staff assists companies by providing strategic planning; help with decision making on product development and marketing; and use of

an extensive network of volunteer mentors and professional service providers to give start-up companies unprecedented access to business, university and government contracts, public and private funding sources, and new opportunities with both early-stage and mature technology companies.

Over its 14 years in existence, the ETC has had an impressive record of results:

- Of 281 companies assisted, 85 are still in business as of this writing;
- All graduate companies remain in Maryland, 56 percent in Baltimore City;
- More than 2,000 jobs have been created at an average salary of \$70,000;
- More than 1.5 billion in outside investment has been raised by ETC companies; and
- Thirty-nine percent of the companies have successfully transferred technology from a university or federal lab.

Deborah Tillett, president of the ETC, points out the defining characteristic of the ETC: “The ETC provides more than the opportunity for individual companies to maximize their growth potential, it provides a creative environment in which like-minded entrepreneurs can increase their companies’ potential through shared learning, partnerships, joint ventures, and collaborations. Some other companies we have served include Looking Glass, Groove Commerce, Ainsley & Co., Millennial Media, R2i, Straighterline, and CSA Medical.”

In a typical year, the ETC receives about one-quarter of its operating budget from Baltimore City—the remainder is earned in the form of fees and services from its 86 portfolio companies.

Abell Salutes ETC president Deborah Tillett, for helping the many start-up Moodlerooms get off the ground fast, and go further than the founders could on their own, and for helping to create jobs in Baltimore.